



Department of Defense
DIRECTIVE

AD-A270 221



November 10, 1988
NUMBER 1426.1

ASD(FM&P)

SUBJECT: Labor-Management Relations in the Department of Defense

- References: (a) DoD Directive 1426.1, subject as above, June 29, 1981 (hereby canceled)
(b) Title 5, United States Code, Chapter 71, "The Federal Service Labor-Management Relations Statute"

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A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to reflect current authority and responsibility for the establishment of labor-management relations programs and policies covering employees of the Department of Defense and for the exercise of certain functions in implementation of reference (b).

B. APPLICABILITY AND SCOPE

1. Except as provided in subsection B.2., below, this Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Joint Chiefs of Staff (JCS), the Unified and Specified Commands, the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, and the DoD Field Activities.

2. This Directive does not apply to the National Security Agency/Central Security Service (NSA/CSS) as provided in Section 7103(a)(3)(D) of reference (b) or to organizational or functional entities within the Department of Defense that the President has excluded from coverage pursuant to Section 7103(b) of reference (b).

C. POLICY

It is DoD policy that DoD managers at all levels shall carry out their responsibilities in labor-management relations with full consideration of the rights of DoD employees and labor organizations representing them, as well as of the need for timely mission accomplishment, increased productivity, and efficiency of operations. Effective intra-DoD coordination with respect to labor-management relations issues and developments shall be given priority attention.

D. RESPONSIBILITY

1. The Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) shall:

a. Establish basic principles governing relationships between DoD management and labor organizations representing DoD employees, consistent with reference (b).

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b. Accord exclusive recognition at the DoD level to qualifying labor organizations under Sections 7111(a) and 7120(a) of reference (b).

c. Grant national consultation rights at the DoD level to qualifying labor organizations, or terminate such rights, under Section 7113(a)(1) of reference (b).

d. With right of redelegation:

(1) Establish labor-management relations programs, policies, and procedures; issue guidance to DoD managers on labor relations matters; and coordinate labor relations programs and activities within the Department of Defense.

(2) Develop or review and clear submissions to the Federal Labor Relations Authority (FLRA) that set forth the DoD position on issues before the Authority, subject to coordination with the General Counsel, Department of Defense (GC, DoD), on matters involving legal issues.

(3) Represent the Secretary of Defense in negotiation of agreements with labor organizations accorded exclusive recognition at the DoD level, pursuant to Section 7114(a) of reference (b).

(4) Approve or disapprove negotiated agreements covering units of DoD employees, pursuant to Section 7114(c) of reference (b).

(5) Represent the Department of Defense in dealings with the FLRA, the Office of Personnel Management (OPM), and other agencies on labor-management relations matters.

2. The General Counsel, Department of Defense (GC, DoD), shall:

a. Develop or review and clear proposals for judicial review of decisions of the FLRA under Section 7123(a) of reference (b) in cases arising within the Department of Defense, subject to coordination with respect to policy and program implications with the ASD(FM&P).

b. Communicate with the Department of Justice (DoJ) to seek judicial review of FLRA decisions and provide or authorize the provision by DoD Components of such legal support as the DoJ may require in connection with such cases.

E. EFFECTIVE DATE

This Directive is effective immediately.

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William H. Taft, IV

William H. Taft, IV
Deputy Secretary of Defense

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